

PETER D. KEISLER
Assistant Attorney General

SCOTT N. SCHOOLS
United States Attorney

JOHN R. TYLER
CARLOTTA P. WELLS
Senior Trial Counsel
United States Department of Justice
Civil Division
Federal Programs Branch
Post Office Box 883
Washington D.C. 20044
Tel: (202) 514-4522
Fax: (202) 616-8470
carlotta.wells@usdoj.gov

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOSHUA GERSTEIN,
Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,
et al.,

Defendant.

Case No. C 06-04643 MMC

**STIPULATION TO EXTEND
BRIEFING DEADLINES AND TO
EXCEED PAGE LIMITATION AND
PROPOSED ORDER THEREON**

The parties hereby stipulate to a 10-day extension of the briefing deadlines set pursuant to the Court's Minute Entry following the June 1, 2007 Continued Case Management Conference, and also to exceed by 50 pages the page limits under Local Rule 7-4(b) for defendants' motion for partial summary judgment and plaintiff's opposition thereto. The bases for this stipulation are as follows:

1. Pursuant to the June 1 Minute Entry, defendants' motion for partial summary judgment (addressing issues regarding the agencies' searches for documents responsive to plaintiff's

1 requests under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the exemptions
2 applied to withhold responsive information in non-case or non-investigation specific documents)
3 is due to be filed on July 23, 2007; plaintiff's opposition and cross motion for partial summary
4 judgment is to be filed on August 27, 2007; defendants' reply is due on September 17, 2007; and
5 plaintiff's reply is to be filed on October 1, 2007.

6 2. Plaintiff's requests for information relating to unauthorized disclosures of classified
7 information and referrals to the Department of Justice in connection with such "leaks" connotes
8 that more than one of the defendant agencies may have an equity in the information contained in
9 responsive documents. Defendants require additional time to file their motion for partial
10 summary judgment due, in part, to the time involved for intra-agency coordination, between
11 agency attorneys and their clients regarding the collection and assimilation of the information
12 necessary to support defendants' positions, as well as inter-agency coordination, with respect to
13 documents referred from one agency to another, regarding responsibility for providing the
14 rationale for applying a FOIA exemption to a document or portion of a document. Defendants
15 also require additional time due to unforeseen events in several cases to which undersigned
16 counsel is assigned, which have demanded significant time and attention. No previous extensions
17 have been sought in connection with the briefing schedule for defendants' motion for partial
18 summary judgment.

19 3. Plaintiff stipulates to the request for a 10-day extension of time for defendants to file
20 their opening brief, or until August 2, 2007. The parties also stipulate to shift the other briefing
21 deadlines accordingly: September 6, 2007 for plaintiff's opposition and cross partial summary
22 judgment motion; September 27, 2007 for defendants' reply; and October 11, 2007 for plaintiff's
23 reply.

24 4. The parties further stipulate that it is necessary in this case to exceed the 25-page limit
25 for memoranda of points and authorities in support of and in opposition to civil motions, as set
26 forth in Local Rule 7-4(b). Additional pages are necessary in order to adequately address the
27 issues raised by the responses to plaintiff's FOIA requests by 12 components or agencies. Indeed,
28 for each component or agency, defendants must set forth information relating to the processing of
plaintiff's requests; the search conducted to identify, locate, and process responsive documents;

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1 and the bases for withholding information under various FOIA exemptions. The parties agree to
2 exceed the page limits by 50 pages (allowing 75 pages for the opening and opposition briefs in this
3 case).

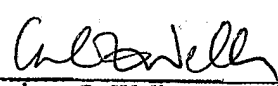
4 Accordingly, the parties stipulate to extend the briefing deadlines by 10 days and to exceed
5 the page limits by 50 pages.

6 Respectfully submitted,

7 JOSHUA GERSTEIN

PETER D. KEISLER
Assistant Attorney General

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10 Plaintiff

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12 Carlotta P. Wells
13 Senior Trial Counsel
14 United States Department of Justice
15 Civil Division
16 Federal Programs Branch

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Dated: July 18, 2007
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Dated: July 18, 2007

~~[PROPOSED]~~ ORDER

1 Upon consideration of the parties' stipulation, the briefing deadlines set by the June 1,
2 2007 Minute Order are extended by 10 days, to reflect the following deadlines: August 2, 2007 for
3 defendants' motion for partial summary judgment; September 6, 2007 for plaintiff's opposition
4 and cross motion for partial summary judgment; September 27, 2007 for defendants' reply; and
5 October 11, 2007 for plaintiff's reply. Further, the parties will be permitted up to ⁴⁰~~75~~ pages for the
6 opening and opposition briefs.

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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9 Dated: July 23, 2007


MAXINE M. CHESNEY
United States District Judge